

AMENDMENTS TO THE DRAWINGS WITHOUT MARKINGS

IN THE DRAWING:

Fig. 1 has been amended

Fig. 4 has been added.

REMARKS

The last Office Action of October 28, 2008 has been carefully considered. Reconsideration of the instant application in view of the foregoing amendments and the following remarks is respectfully requested.

Claims 2-8, 10, 11 are pending in the application. Claims 10, 11 have been amended. No claims have been canceled or added. Amendments to the specification and drawings have been made. No fee is due.

It is noted that the drawings are objected to because of applicant's failure to show every feature set forth in the claims.

It is further noted that the specification and claims are objected to because of some informalities.

Claim 7 is rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claims 6, 10-11 stand rejected under 35 U.S.C. §102(e) as being anticipated by published U.S. Pat. Appl. No.2004/0056538 A1 to Du.

Claims 2, 3 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Du in view of U.S. Pat. No. 3,932,928 to King.

Claims 4, 5 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Du in view of U.S. Pat. No. 6,437,469 to Stahl.

Claims 7, 8 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Du in view of published U.S. Pat. Appl. No. 2003/0006654 A1 to Chochoy.

OBJECTION TO THE DRAWING

Applicant submits herewith a new Fig. 4 to show the "rotor", set forth in claims 10, 11, the "motor housing" and "webs", set forth in claim 5.. The specification has been amended to make it consistent with the amendments to the drawing. No new matter has been added. A new drawing sheet is submitted and labeled "New Sheet".

Applicant has also amended Fig. 1 to indicate the presence of a "winding 3a".
A new drawing sheet is submitted and labeled "Replacement Sheet".

Withdrawal of the objection to the drawing is thus respectfully requested.

OBJECTION TO THE SPECIFICATION

Applicant has amended the specification, as suggested by the Examiner.
Withdrawal of the objection to the specification is thus respectfully requested.

OBJECTION TO THE CLAIMS

Applicant has amended claims 10 and 11, as suggested by the Examiner.
These changes are self-explanatory and cosmetic in nature and should not be considered as a narrowing amendment to trigger prosecution history estoppel.

The suggested amendment to claims 7 and 8 has not been followed because the verb "includes" in this context is proper as it relates to an "insulation" which is singular.

Withdrawal of the objection to the claims is thus respectfully requested.

REJECTION OF CLAIM 7 UNDER 35 U.S.C. §112, SECOND PARAGRAPH

Applicant has amended claim 7 to address the §112 rejection by deleting the reference to "high-temperature". This change is cosmetic in nature and should not be considered as a narrowing amendment to trigger prosecution history estoppel.

Withdrawal of the rejection of the claim 7 under 35 U.S.C. §112, second paragraph is thus respectfully requested.

REJECTION OF CLAIMS 6, 10, 11 UNDER 35 U.S.C. §102(b)

The rejection under 35 U.S.C. 102(e) is respectfully traversed.

The Du reference has a filing date which is not before the filing date of the German patent application upon which priority is claimed pursuant to 35 U.S.C. 119(a)-(d). In order to perfect the claim of priority, applicant submits herewith a verified translation of the priority document DE 103 29 678.6 under 35 U.S.C. §119(a)-(d). Accordingly, it is applicant's contention that the rejection under 35 U.S.C. §102(e) as being anticipated by Du has now been overcome.

Withdrawal of the rejection of claims 6, 10-11 under 35 U.S.C. §102(b) and allowance thereof are thus respectfully requested.

REJECTION OF CLAIMS 2-5, 7-8 UNDER 35 U.S.C. §103(a)

Claims, 2-5, 7-8 which depend from claim 10 and therefore contain all the limitations thereof, patentably distinguish over the applied prior art in the same manner as claim 10.

Withdrawal of the rejection of claims 2-5, 7-8 under 35 U.S.C. §103(a) and allowance thereof are thus respectfully requested.

CITED REFERENCES

Applicant has also carefully scrutinized the further cited prior art and finds it without any relevance to the claims on file. It is thus felt that no specific discussion thereof is necessary.

CONCLUSION

In view of the above presented remarks and amendments, it is respectfully submitted that all claims on file should be considered patentably differentiated over the art and should be allowed.

Reconsideration and allowance of the present application are respectfully requested.

Should the Examiner consider necessary or desirable any formal changes anywhere in the specification, claims and/or drawing, then it is respectfully requested that such changes be made by Examiner's Amendment, if the Examiner feels this would facilitate passage of the case to issuance. If the Examiner feels that it might be helpful in advancing this case by calling the undersigned, applicant would greatly appreciate such a telephone interview.

Respectfully submitted,

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